

**REMARKS**

Claims 1-20 are pending. Claims 6-18 are withdrawn from consideration and claims 1-5, 19, and 20 stand rejected. By virtue of this response, claims 1, 5, 19, and 20 have been amended and no claims have been cancelled or added. Accordingly, claims 1-5, 19, and 20 are currently under consideration. Amendments to the claims are supported at least by paragraphs [0011] and [0012] of the present application; accordingly, no new matter has been added. Further, amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

**Claim Rejections under 35 U.S.C. §102**

Claims 1-5, 19, and 20 stand rejected under 35 U.S.C. §102(e), as being anticipated by McInerney (U.S. Patent No. 4,613,288). The Examiner refers to Fig. 5 and col. 6, lines 32-45 in support of the rejection.

Applicants have amended claim 1 to recite a fluid dynamic bearing motor assembly including, *inter alia*, an orbital ring wherein "at least one fluid dynamic bearing region is associated with a gap between a surface of the orbital ring and a surface of one or both of the inner member and the outer member, the fluid dynamic bearing region operable to provide an axial thrust." Claims 5, 19, and 20 have been amended similarly to claim 1. Applicants submit that this feature of independent claims 1, 5, 19, and 20 is not disclosed or suggested by McInerney (nor was this feature alleged to be shown by McInerney).

In contrast to the features recited by claim 1 as amended (e.g., including an orbital ring and a fluid dynamic bearing associated therewith operable to provide an axial thrust), McInerney discloses oil feed cross grooves 234 facing the axial gap between journal bearing 82 and bearing plate 83/washer 85 (Fig. 5). The oil feed cross grooves 234 are described as providing "an oil film

thrust bearing” (Col. 6, lines 49-55), which appears to merely rely on hydrostatic pressure in the gap between cross grooves 234 and bearing plate 83/washer 85. Additionally, as seen clearly in Fig. 6, the oil feed cross grooves 234 are not formed or adapted for use as a fluid dynamic bearing. Such a bearing, relying on hydrostatic pressure, does not disclose or suggest a “fluid dynamic bearing region” “operable to provide an axial thrust” as recited by the claims. For example, a fluid dynamic bearing generally refers to a bearing region wherein the thrust or pressure is “self-activating,” and varies with relative rotational speed, gap distance, and the like as is known in the art. An oil film thrust bearing as disclosed by McInerney is clearly not a fluid dynamic bearing operable to provide an axial thrust as recited by the present claims. Accordingly, McInerney does not disclose each and every feature of the present claims and the rejection should be withdrawn.

Moreover, one of ordinary skill in the art would not be motivated to modify the disclosure of McInerney to meet the features of independent claims 1, 5, 19, and 20 because McInerney discloses a system where lubricating fluid is introduced to journal bearing 82 and cross feed grooves 234 through inlet 90, and the lubricating fluid exits the system through outlet 92 (see generally, col. 5, lines 47 to col. 6 lines, 58, and Fig. 5). Thus, the pressure for the bearing regions and oil feed cross grooves 234 is provided externally, thereby obviating the need for a fluid dynamic bearing (which creates pressure during relative rotation) as recited by the present claims.

Therefore, for at least these reasons, McInerney does not disclose or reasonable suggest each and every feature of claims 1-5, 19, and 20. Accordingly, the rejection should be withdrawn and the claims allowed.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 146712014500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 29 2005

Respectfully submitted,

By 

Christopher B. Eide

Registration No.: 48,375

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5720